

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

The Department of Transportation of the State of Illinois, for an
on behalf of the People of the State of Illinois,
Petitioner,

Vs.

T03-0023

Wisconsin Central, Ltd., an Illinois corporation, and Unknown
Owners,
Respondents.

Petition for approval of the taking or damaging of certain
properties owned by a public utility in Lake County, Illinois by
exercising the right of eminent domain. Parcel No. 1DH 0110.

ORDER

By the Commission:

On March 26, 2003, the Department of Transportation of the State of Illinois ("Petitioner") filed its verified petition with the Illinois Commerce Commission ("Commission") to approve the taking of certain real estate owned by Wisconsin Central Ltd. ("the Railroad"), a rail carrier as defined by the Illinois Commercial Transportation Law ("Law"), through exercise of the power of eminent domain.

Pursuant to notice by the Commission to all parties in this proceeding a hearing was held on September 22, 2003, before a duly authorized Administrative Law Judge of the Commission at the Chicago office of the Commission. Petitioner was represented by counsel. At the conclusion of a full and public hearing on the aforementioned date, the record was marked "Heard and Taken."

Petitioner attached a legal description of the property to its petition as Exhibit A and presented as Exhibit B, a plat of highways showing the proposed construction project and the parcel affected thereby. Petitioner proposes widening of Illinois Route 22 and construction of sidewalks on the subject property.

The Commission, having considered, the verified petition, exhibits, and the Stipulation in the record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) the Department of Transportation of the State of Illinois exists by virtue of the laws of the State of Illinois;

IT IS FURTHER ORDERED that in accordance with Chapter 625 ILCS 5/18c-2201 and 5/18c-2206 of the Illinois Commercial Transportation Law, this is a final order subject to the Administrative Review Law.

By Order of the Commission this 8th day of October, 2003.

JUDGE	JBT
SECTION CHIEF	
ORDERS SUPERVISOR	

Edward C. Husley 2

Chairman